Constrained Maneuvering: Rhetoric as a Rational Enterprise

Christopher W. Tindale
University of Windsor

Part I: Maneuvering strategically for strategic maneuvering:

All theories of argumentation, and particularly those that are normative in force, stress the underlying reasonableness of the activity and ways in which this should be achieved and maintained. But there is also a practical recognition that arguers have more in mind, even where they are concerned to maintain reasonableness. They may, for example, want to maintain that reasonableness on their own terms and achieve outcomes that are favourable to their own interests, and they will measure success in this way. In recognition of this, the development of the strategic maneuvering project is a welcome initiative that should bring argumentation theorists to take more seriously the rhetorical dimensions of argumentation. In what follows, I consider closely some of the central features of the strategic maneuvering project in relation to my own recent attempts to work with a rhetorical model of argumentation (Tindale, 2004; 1999). I begin by outlining my own understanding of that project and its essential features by considering a brief case study where arguers attempt to persuade a community to accept their position. The case involves a pair of argumentation theorists, Frans van Eemeren and Peter Houtlosser, aware of exactly that tension I have just presented and concerned to persuade the larger body of argumentation theorists that a rhetorical perspective can have value and that it can be captured in a series of features tied to the various stages of argumentation under the umbrella term "strategic maneuvering."

Of course, that larger body of argumentation theorists constitutes a particularly

diverse composite audience, some of whom will take little persuading of rhetoric's role since it has been part of the approach they have taken. Their concern may be the specific role that rhetoric should play. Those coming out of the perspective grounded by the work of Perelman and Olbrechts-Tyteca are obvious examples. But others will not be so easily persuaded since the grounds of their perspective have been free from rhetoric and may even have been established in contrast to it. Those theorists working in the pragma-dialectical perspective as it was initially conceived are obvious examples here. The proponents of the new initiative have their work cut out for them.

A Case Study:

We see certain moves at the confrontation stage, where the nature of the dispute is addressed. The decision of how to approach the topic is going to be important, and it is done by stressing how strategic maneuvering strengthens and completes the pragma-dialectical account.

> [U]ntil recently, pragma-dialectical analysis tended to concentrate on
> reconstructing primarily the dialectical aspects of argumentative discourse. It is
> clear, however, that the analysis and its justification can be considerably
> strengthened by a better understanding of the strategic rationale behind the moves
> that are made in the discourse. For this purpose, it is indispensable to incorporate
> a rhetorical dimension into the reconstruction of the discourse. (van Eemeren &
> Houtlosser 1999a, 164)

At the confrontation stage, then, the traditional tension between dialectic and rhetoric is down-played and the relation presented as complementary and useful. This will quell the audience (or at least the potentially antagonistic part of the wider

2

audience). But they will still demand more, expecting to see a relationship between the two perspectives that fits established principles that are shared and that explains the new roles. Thus, audience demand is met by explicitly avoiding a contradiction[1] and stressing the supplementary nature of the new rhetorical influence, and by explaining how the new venture fits into the traditional division between dialectic and rhetoric (van Eemeren & Houtlosser, 1999c, 482-3). There is no question about the appropriate relationship here—rhetoric is the handmaid of dialectic, and rhetorical moves operate *within* a dialectical framework (1999c, 493). This contrasts markedly, as they note, with rhetorical theorists Perelman and Olbrechts-Tyteca, who bring elements of dialectic into rhetoric (van Eemeren & Houtlosser 1999a, 165). This preferred relationship represents a natural extension of the commitments already made in pragma-dialectics.

There is also argumentation that builds on an understanding already alive in the wider audience: Dialectic, we are reminded, deals with general and abstract questions, while rhetoric concerns itself with specific cases (van Eemeren & Houtlosser 2000a) and with the contextual adjustments required to convince specific people (van Eemeren & Houtlosser 2002a, 15). It seems natural, then, that the specific should be embedded in the general. Furthermore, theoreticians have characterized rhetoric's norm as that of effectiveness, while dialectic embraces the idea of reasonableness. Although van Eemeren and Houtlosser insist there is no

---

[1] It is noted, for example, that for some modern theoreticians "the rhetorical norm of effectiveness is in contradiction with the conception of reasonableness that lies at the heart of dialectic" (van Eemeren & Houtlosser, 2000a:3).

incompatibility between these norms (2002a, 15), they do not resist this traditional characterization of rhetoric and so, again, it seems natural to ground effectiveness in reasonableness: "effective persuasion must be disciplined by dialectical rationality" (2000b, 297).

It is at the opening stage, I think, that the authors of the project must supply specific criteria or tools to carry the account, and this requirement is met by an important triad of features that, while different in several ways, serve to connect with the audience of the wider use of rhetoric by recalling a similar triad in Perelman and Olbrechts-Tyteca, for example, with echoes back to the *Rhetorica ad Herennium*.

The first such dimension involves the selection of topics from those available. Van Eemeren and Houtlosser call this the *topical potential* of each discussion stage. That is, arguers will select materials from those available according to what they believe best advances their interests. At the confrontation stage, the speaker or writer will select or exclude in an attempt to dictate how the confrontation is defined. In a dispute over the place of rhetoric in argumentation, for example, the key idea might be defined in terms of strengthening an established model of argumentation. At the opening stage, participants attempt to create the most advantageous starting point. This may be done by establishing agreements over the traditional roles of dialectic and rhetoric and winning concessions about how these might now be related. At the argumentation stage, the best "status topes" will be selected from those appropriate for the type of standpoint at issue. And at the concluding stage, attention will be directed to achieving the best outcome for a party by, for example, pointing to consequences (1999a, 166), or indicating that the new model is

4

better equipped to handle conventionalized types of argumentative activity, like negotiation (van Eemeren and Houtlosser, 2005).

The second dimension involves adapting to *audience* (auditorial) *demands.* In general, this will amount to creating "empathy or 'communion' between the arguer and his audience" (van Eemeren & Houtlosser 2000b, 298). But this adaptation works in specific ways at each stage, depending on the issue and the nature of the audience involved. Again, in advocating for the role of the rhetorical in argumentation, the arguers would agree with the audience's potential concerns, stress the benign role of rhetoric and address the audience's expectations to have this influence controlled by not alternating significantly the underlying dialectical perspective.

The third dimension involves exploiting the *presentational devices* appropriate at each stage. Here, rhetorical figures are used to impress moves upon the mind and create 'presence'. At the opening stage, the rhetorical ploys adopted by arguers may be effectively presented by adopting the metaphor of maneuvers, of moving around obstacles towards a goal.

These three dimensions or features are important in themselves for setting the terms of the account and defining how rhetoric can be brought into argumentation. But it still must be brought in with a mind to the reasonableness of the whole enterprise. Here I think we see aspects of the argumentation stage of the "dispute," where a case must be made for the rationality of the account.

A key criterion for assessing whether a rhetorical strategy is "being followed" (1999a, 166; 1999b, 170) in any stage is that of *convergence:* the selection of materials, the adaptation to audience, and the use of rhetorical devices must all converge.

Further details show convergence to be a criterion of (reasonable) success. As is observed, "Strategic maneuvering *works best* when the rhetorical influences brought to bear at each of the three levels are made to converge" [italics added] (2000a). Indeed, the argumentation for recognizing and adopting strategic maneuvering has fused the three dimensions of topic selection, audience adaptation, and device presentation in the tradition of a valued approach to argumentation, that of pragma-dialectics. In doing so, the argumentation has more than just strategically maneuvered, it has "displayed a genuine rhetorical strategy" (2000a). In the same paper, the authors speak of a rhetorical strategy being "optimally successful" when such a fusion of influences occurs.

We might further ponder the nature of this success. In rhetoric, it is usually tied in some way to effectiveness of persuasion, according to van Eemeren and Houtlosser's own understanding. But success in terms that they have now set out may mean no more than being able to match one's rhetorical interests with one's dialectical obligations through strategies that exploit (in a neutral sense) the opportunities in an argumentative situation. More clearly identified is a negative requirement governing appropriate strategies. Being persuasive would not be sufficient to count rhetorical strategies acceptable if they are not also reasonable (2000b, 297). And the key way in which they must meet this condition further ties them into the program of pragma-dialectical assessments, thus further satisfying audience demand: it is by avoiding fallaciousness (1999c, 485). Fallacies in pragma-dialectics involve violations of one or more rules that govern critical discussions. In the view of van Eemeren and Houtlosser, it is "possible to identify specific 'types' or 'categories' of strategic maneuvering that can be pinned down as fallacious for their correspondence with a particular type of rule violation in a specific

discussion stage" (2001, 24). The requirement of reasonableness represented by the rules

for discussion serves as a check on the arguer simply having her or his way. Such would

occur should the arguer's commitment to proceeding reasonably be overruled by the aim

of persuasion (in other words, when the correct relationship between the dialectical and

the rhetorical is inverted). When this happens, van Eemeren and Houtlosser say that the

strategic maneuvering has been "derailed," and hence a fallacy committed. Clearly, this is

a point they wish to fix in the minds of the audiences, because they adopt a particularly

vivid presentational device to present it: "All derailments of strategic maneuvering are

fallacious, and all fallacies can be regarded as derailments of strategic maneuvering"

(2001, 23). It is an additional merit of this new proposal, one that would be a fitting

inclusion in the argumentation stage where important consequences and advantages can

be demonstrated, that emphasizing strategic maneuvering now makes it possible to

explain the relationship between fallacies and their positive counterparts and to further

explain why fallacies appear so persuasive (van Eemeren and Houtlosser, 2003:3).

Assumptions in Strategic Maneuvering:

I do not belong to that portion of the audience of argumentation theorists who

needed to be persuaded of the value of incorporating rhetoric in argumentation. Any

model of argumentation that looks to focus on the rhetorical cannot but be helped by

components of van Eemeren and Houtlosser's work. The choices speakers and writers

make in selecting the terms and structures of their statements, for example, are aimed at

giving their ideas *presence.* Statements are designed to capture the attention of the

audience so that specific ideas stand out in their minds. Even the first dimension of

selecting issues has this intent (1999b, 168). But it is with the use of rhetorical figures as presentational devices that this becomes most apparent, as they "make things present to the mind" (1999a, 166; 1999c :485). I see this is an important echo and acknowledgment of Perelman and Olbrechts-Tyteca's stress on the way rhetorical figures attract attention in argumentation (1969, 168).

On the other hand, in my own work I have focused more on the role played by the audience in argumentation than on maneuvering strategies adopted by arguers. In this regard, there are several connected assumptions prevalent in the strategic maneuvering project that sets the approach apart from the direction that my work has taken These involve the subsidiary role the former gives to rhetoric in relation to dialectic and the related importance the project gives to the arguers over audiences. Arguers, we are told, are not only interested in resolving a difference of opinion; they design their contributions in order to resolve disputes in their own favour. It is this rational self-interest that turns them to rhetoric. It had been the earlier failure to pay attention to the "purposes of arguers" (van Eemeren & Houtlosser, 2003:2) that had been seen as a lack in the pragma-dialectical project. But the reason rhetoric is crucial to argumentation in many other models is because argumentation is audience-oriented. In dialectical exchanges between participants in a dispute we can monitor the strategies each uses to advance her or his interests. But in argumentation of the monological variety, in which the critical discussion must be imagined and the role of one party "activated," such primary attention to *the arguer* seems imbalanced. Greater attention to notions of audience may well modify the way we think about strategic maneuvering in

argumentation. This is what I will suggest in what follows.[2] Furthermore, in proceeding

to explain some of the alternative ways in which I have incorporated strategies of rhetoric

into argumentation, I will consider another assumption that attends the project, namely

that rhetoric itself is not sufficiently rational but needs dialectic to "discipline" it.

Part II: Rhetorical argumentation as a co-operative venture: multiple maneuvering

Rhetoric and Dialectic:

At the core of any account of argumentation that gives prominence to rhetoric is a

fundamental accommodation of audience. This certainly marks rhetorical argumentation

off from the logical. The traditional logical approach has been to view argumentation as

something detached from its contexts; the focus is on the production, nature, analysis and

evaluation of arguments per se. Perelman (1989:246) tells us, for example, that Henry

Johnstone Jr. as late as 1971 denied that audience played any role whatsoever in

argumentation generally, and he (Perelman) distinguished himself from a similar

innovator like Toulmin because the latter ignored the role of audience (250). Even those

of us who are at home in informal logic come from that shared background of the

tradition such that where we do give attention to rhetoric (and not all do), there has been a

tendency to "rediscover" it from the perspective of that tradition and on logical terms.

That is, the assumptions of the logical tradition have influenced that rediscovery. So

---

[2] Van Eemeren and Houtlosser (2000b:141n) warn against treating audience adaptation as the

overriding or only characteristic of rhetoric. This is an appropriate concern, if rhetoric's application to

argumentation is reduced to audience alone. But I do take audience to be the overriding consideration for

the reasons to be explained.

rhetoric is brought back late to a venture like informal logic that is already active and partly development. We have the study of arguments essentially viewed as products and *now* we come to consider a rhetorical feature like audience. Thus, we view the audience in light of and with respect to argument-products that already exist. But we have it the wrong way round: the audience underlies those products; it was partly responsible for them and they need to be extracted (*if* they need to be extracted) on those terms.[3]

In terms of the rhetoric/dialectic divide, Perelman and Olbrechts-Tyteca give this appreciation as a key reason why they chose to call their theory of argumentation rhetorical rather than dialectical: "*it is in terms of an audience that an argumentation develops*" (1969:5). As if to clarify this idea, they later note that rhetoric is to be valued over dialectic because it gives primacy to the influence that a speech (spoken or written) has on the entire personality of the hearers in the way that it can move us to action. This is one of the influences that led me to give such prominence to audience considerations in my own approach to argumentation (2004, 1999), although there is, at least on this point, something more to the perspective that I try to capture.

As we know, Perelman and Olbrechts-Tyteca define the audience of an argumentation as "those to whom it is addressed" (7)[4]. That is, they are interested in the audience that a speaker intends. It is surprising that a philosopher of Perelman's background would pass over without comment the problems inherent in this idea.

---

[3] Some informal logicians do indeed seem to recognize this relationship. Pinto (2001:119), for example, considers the shift in focus from argument products to argument processes.

[4] For van Eemeren & Houtlosser, the audience is not just this ensemble of those whom the speaker wishes to influence, but coincides with the antagonist in a critical discussion (1999a:166, n.82).

Searching for the "intended" audience leaves us divining the intentions of arguers often when their minds are no longer accessible to us. Of course, it is part of the account that we are judging adherence of ideas, and so some sense of the audience for which the ideas were intended needs to be garnered. Still, we want also to work in argumentation with actual audiences, those who are addressed, whether intended or not. Plato addresses us now, although he could not have imagined us with our backgrounds, interests and beliefs. And we feel no compunctions in evaluating Plato's arguments, judging their strength in part on whether or not people still adhere to the ideas involved. So we need to be interested in actual as well as intended audiences. In fact, if we shift the focus from the arguer/speaker to the audience we can consider who is addressed by argumentation. This idea is already present in Perelman and Olbrechts-Tyteca's work because they are interested in how hearers *experience* argumentation. But it is an idea that deserves development.

I have emphasized the focus on experience in a somewhat different appreciation of audience. It seems a fundamental feature of our social beings that we are "in audience."[5] What this means is that we always have the standpoint of an audience, of what the experience of an audience feels like; this is our primary relationship to argumentation, our entry into it. Individually, and in the groups to which we belong or to which speakers assume we belong, we have this potential. We are constantly open to being addressed. We are able to learn to be arguers, to engage in argumentation from this perspective, because we have first been audiences, and engaged from that perspective.

---

[5] My thinking on this was prompted and influenced by James Crosswhite's discussion of audience as a way in which human beings *are* (1996:139)

Thus, audience as a way of being is fundamental to argumentation as a social phenomenon.

One idea that captures something of this experience is "addressivity". As the notion arises in the work of Bakhtin, (1986; 1981) it refers to the ways in which words used in utterances, in their very structure, both address and anticipate a response. Utterances are not isolated components of discourse, woven together to form a coherent whole; they are essentially dialogical in nature, the utterance captures both the utterer and the audience insofar as the audience's expectations, interpretation and response condition the development of the utterance and ensuing speech. Transferring this understanding of utterance to the genre of argumentation, we must see this dialogical character fixing the audience as a primary contributory source of the argumentation. The arguer/audience imbalance that favours the arguer in so many ways (as the controller of intentions; as the active participant to the audience's passivity) is shown for what it is: misconceived and incorrect. Understanding any argumentation, including the intentions involved, must begin as much with the audience as the arguer.

Ways of viewing this active involvement of those addressed is captured in some of the various attempts at redressing the conception of rhetoric as exploitative, where the interest and desires of one party are imposed on another, and any means can be used to create a "successful" outcome. Foss and Griffin (1995), for example, call this traditional view "Conquest" rhetoric.[6] In contrast, they advocate a view of rhetoric they describe as "Invitational." Openness characterizes this approach. It protects the integrity of the other person by creating space for growth and change through self-persuasion, and it has a co-

---

[6] Foss and Griffin also identify rhetorics described as "Conversion," and "Advising" (1995:2).

operative focus. It would also seem to counter the generalized belief that *all* arguers are interested in resolving a dispute in ways that favour their own interests, unless we read this in a way that is essentially trivial (where even the behaviour of a Mother Teresa is self-interested because she would not help others if it did not first and foremost further her own satisfaction). While Foss and Griffin draw largely from feminist theory in developing their account, I have argued that this model of rhetoric has not been missing from the tradition as a whole, and is even suggested in places where it is least expected, like the reasoning of the sophists (Tindale, 2004:50-55). In situations where no argument is prima facie strong or weak, several sophists invited audiences to experience the situation for themselves and judge which of various possibilities was most likely *according to their* (the audience members') *experience*. Given that the audience was not present when events took place, a sophist like Antiphon in his court pieces is effectively asking what other primary resource a jury audience would have than their own experience of what is likely, and so if they are to be persuaded it is by their own lights. Rhetoric acts on the listener and helps modify what appears to be the case. And once this view of rhetorical argumentation appears through the sophists it does not disappear in subsequent accounts. It is there, arguably, in the *Dialogues* of Plato, expressed through a Socratic rhetoric that will not impose a view on his interlocutors, but strives to bring them to a point where they see themselves reflected in the statements they put forward; where they are invited to take possession of those statements, follow them to their consequences (likely, contradictions) and be persuaded (or not) by the knowledge that ensues. And an invitational rhetoric is also evident in Aristotle's *Rhetoric*, in the rhetorical enthymeme that, unlike the syllogism, is determined by the audience, by what they understand

(Kennedy 1991:42). Such enthymemes are "embedded in the possibilities *that interest us*" (McCabe, 1994:155) and are constructed, presented and effective on those terms.

What is common to these approaches to rhetoric in argument is the focus laid on the audience's perspective, on how the argumentation appears to them, and on how they experience it. Also of relevance here is Jeanne Fahnestock's (1999) work on rhetorical figures in science. Her study captures an appreciation of the enthymeme just mentioned insofar as she sees rhetorical figures invoking the collaboration of audiences. Patterns of discourse encourage an audience's participation by virtue of their form. "All derailments of strategic maneuvering are fallacious, and all fallacies can be regarded as derailments of strategic maneuvering" has a predictive pattern to it such that an active audience is invited to follow the pattern. Fahnestock suggests that this figure (the *antimetabole*) may be the most predictive because it is the easiest to complete following its first clause (1999:124). The simplicity of its pattern makes it easy to recognize and complete, and the audience can complete it wherever it is left partially stated.

On the other hand, Perelman and Olbrechts-Tyteca provide a warning of the dangers involved when such moves are too overt. Then, they suggest, the arguer is open to a charge of "device," as damaging in rhetorical terms as a charge of "fallacy" in logical terms. The use of rhetoric in argumentation, as we appreciate, has always been vulnerable to disqualification when its strategies appear unnatural, artificial, and designed only as a contrived means to an end. When so viewed, the strategy appears as a device only (Perelman and Olbrechts-Tyteca, 1969:450). "How can one react against the branding of a discourse as a device, or better still, how can one prevent it?" (453). Among the more useful answers they provide to this question is one drawn from Pascal—

that people are better persuaded by reasons which they have discovered for themselves. In other words, through the kind of self-persuasion discussed above.

The Audience in strategic maneuvering

Given that 'audience demand' seems to play the kind of central role in strategic maneuvering that 'communion' does in the *New Rhetoric*, it is a concern that it appears to view the audience so rigidly from the arguer's perspective, as those to be persuaded. Naturally, the reality of the situation favours the arguer's perspective, since that is the one we often take and the interests of which may dominate. But there is a danger here of some circularity. If the strategies are designed to encourage an outcome in which the arguer's interests are promoted, the strategies themselves might be affected with a bias that illegitimately creates that outcome.[7] Furthermore, if we stay with the one side of the perspective, we may not recover all of the other side, the audience's, in particular the dynamic nature of the rhetorical audience. A review of how audience demand is imagined may help to emphasize these things and suggest the contrast with what I have been outlining.

"For optimal rhetorical result, the moves must in each stage of the discourse also be adapted to *audience demand* in such a way that they comply with the listeners' or readership's good sense and preferences" (van Eemeren and Houtlosser, 1999c:484-85).

---

[7] I think this holds even when, as is the case with pragma-dialectics, the roles of arguer and audience (as antagonist) shift back and forth, with each party contributing strategic moves. The sense of co-operation that I want to stress still seems, at best, diminished. But I am grateful to Jan Albert van Laar for drawing to my attention the importance of this distinction.

The attempt here is to create a common ground, or communion with the audience. Widely shared value judgments might be used at the confrontation stage, or accepted argumentative principles used as basic premises in the argumentation stage. Again, we can imagine the use of *eunoia*, or goodwill being expressed to the audience through generous gestures or praise of some sort. That such efforts continue throughout the stages of the discourse indicates the enduring concern that the audience represents. But the audience in strategic maneuvering is not considered a co-developer of the argumentation in the ways I have been suggesting. Yet, if the ground is 'common', the arguer and audience already share something that binds them, they belong together *as an audience* at a level prior to the particular situation which now provides the dispute. If widely-shared value judgments or widely-shared argumentative principles are at stake, then these things are being lifted up into the argumentative situation from an *underlying* shared fund of involvement. The arguer and audience belong together in what I would consider a rhetorical dimension of involvement that precedes any particular argumentative situation and makes that situation possible. In "audience demand," then, the emphasis might well be placed on the demand. The audience has a voice and the arguer hears that (active) voice because he or she is part of that audience.[8] Furthermore, the case study of William the Silent (van Eemeren & Houtlosser, 1999b) would seem to illustrate our ability to evaluate historical texts (where we do not have immediate relations with the audience) because we share the perspective of being in audience.

---

[8] Admittedly, this common ground will be stronger and weaker depending on the audiences. Where cross-cultural argumentation is at stake, we have deeper challenges. But commonality still must exist, on these terms, for argumentation to be possible.

There we learn that the "attitude assumed by the author seems to a large extent *to depend on* his addressee" (169, my emphasis), and so it is important to appreciate that the text is addressed to a composite audience and aspects of the argumentation must be understood from the perspective of sub-groups within that audience. To perform this act of understanding, the evaluator must at some level *be* the audience for that text, take on the perspective of the readership in an active way, and it is our nature as audience that allows this.

Less directly, but implicitly, the audience is similarly important for the other two features in strategic maneuvering, topical potential and presentational device, since the topics to be chosen and the most effective devices for presentation are both decided with the audience in mind. One can see just by reviewing the text, for example, what presentational devices William the Silent used to address his multiple audiences. But one has to view things from the perspectives within that audience to judge how and why these particular devices were chosen, what they tell us about the author's understanding of his audience and the ways that audience acted upon him to suggest to him that these particular devices would be effective. So while the primary motivation behind strategic maneuvering seems the interests of the arguers, as important in the success of strategic maneuvering is the interests of the audience. And the maneuvering that ensues is, for that reason, constrained by the audience.

Part III: The Rational Core of Rhetoric:

"[rhetoric] is the application of proof to people."[9]

---

[9] Charles Sears Baldwin, *Ancient Rhetoric and Poetic*, cited in Dearin (Ed.) 1989:1.

In the previous section, I have stressed the fundamental role of the audience and argued for a more balanced view of the arguer/audience relationship that recognizes the active contributions of the audience. But nothing here explicitly challenges the claim that rhetoric needs dialectic to provide reasonableness because it cannot be reasonable on its own terms. Again, phrasing the claim in this way is not entirely fair. Critics do allow an intersubjective reasonableness prevalent in rhetoric and judge this as "one of the pillars of the critical reasonableness conception characteristic of dialectic" (van Eemeren and Houtlosser 2000a). At the same time, though, this is not the kind of objective reasonableness that we achieve by demanding that argumentation comply with a set of dialectical rules.

Traditionally,[10] there has been a strong valuing of both dialectical and rhetorical arguments. But although they are at root essentially similar, both being used to bring about assent and each dependent on a kind of common opinion, rhetorical arguments, unlike their dialectical counterparts, are deemed only to bring people to hold beliefs for reasons which fail to survive further scrutiny. They may garner "surface" acceptance but not enduring adherence. So the position is that dialectic (through its rules and procedures) lifts rhetoric out of it specificity, where the opportunities of a particular situation have been exploited, and gives it an objective rationality it cannot have on its own terms.

Contrary to a view that continues to be active as least within informal logic (Johnson, 2000:163), that rhetoric is not interested in a vibrant sense of rationality, we do not have to detach the Aristotelian view of successful persuasion and its modern echoes

---

[10] That is, in the early Aristotelian tradition.

from an ideal of reasonableness.[11] What we must consider carefully is what should be

understood by "effectiveness". In Perelman and Olbrechts-Tyteca's terms, effectiveness

is measured by the adherence of an audience to a claim. But, again, how "adherence"

should be understood needs to be investigated.   Perelman and Olbrechts-Tyteca are less

than perspicuous here, although what does seem apparent is that they are advocating

much more than a mere "surface" acceptance. Certainly, they are speaking of types of

agreement. Those agreements regarding facts are a type common to several people and

which requires no further strengthening (Perelman & Olbrechts-Tyteca, 1969:67). Thus,

we can take such agreements as basic premises in argumentation and build on them. This

is crucial, argumentation can achieve adherence because it builds on adherence; it is a

movement from and toward adherences. But those towards which argumentation moves

need to be strengthened by being rooted in the lives of the audience. We can perhaps see

this in the discussion of convincing and persuading. Here as is often the case, Perelman

and Olbrechts-Tyteca's analysis involves a reconciliation of traditional oppositions. We

might view persuasion in opposition to convincing, and as a lesser cousin to it.

Traditionally, conviction is grounded in truth and persuasion in opinion. But Perelman

and Olbrechts-Tyteca reverse this opposition and then assimilate it at a deeper level. It is

not enough to be convinced, one must also be moved to action (since this is the domain of

argumentation for them) and this involves being persuaded at a deeper level (26). As

soon as we admit other means of proof, argumentation assumes a significance beyond

mere subjective belief (hence, challenging the objective/subjective opposition).

---

[11] And with this, van Eemeren and Houtlosser are in agreement (1999c:483), although not on the
same terms.

Adherence connects thought to action and bridges the divide between what is the case for me and what ought to be the case for others. I adhere to an action because it is reasonable for anyone in my situation to do so.

What makes these movements from adherence to adherence rational?[12] In my work recently I have laid stress on several features that address this question, I have space to say something about two of them here: the role of figures and the role of a further audience, the universal audience.

Figures share many of the features of what we traditionally call arguments (as products): they are regularized patterns, or codified structures, that transfer acceptability from premises to conclusions. The similarities between arguments and figures have been well presented by Olivier Reboul (1989) and Fahnestock (1999). Reboul shows how an argument "possesses the same status of imprecision, intersubjectivity and polemic" (181) as a figure. Fahnestock takes us much further in laying bare the cognitive heart of figuration and identifies within key figures crucial features of rhetorical argument like collaboration and experience. As part of the latter, she shows how readily figures with their atypical employments of language capture the movements that take place within discourses.

Perelman and Olbrechts-Tyteca reinforce a further important feature: arguments aim at a change of perspective, whatever this might involve. As they explain matters, a figure can be argumentative or not, depending on the case in question, so a figure

---

[12] Note here I have fallen into the tendency of the literature to treat 'reasonable' and 'rational' as synonyms, and not retained the opposition between argumentation and demonstration that Perelman adopts for these terms; an opposition that seems later also to have been adopted by Toulmin (2001:2).

functions as an argument when it meets certain conditions.[13] My own account adopts the

following conditions, the first of which is drawn from Perelman and Olbrechts-Tyteca: A

figure serves as an argument when (i) it has a recognized structure (is codified); (ii) its

inner activity promotes the movement from premises to a conclusion; (iii) it has one of

the goals of argumentation.[14] There is, then, a "logic" to a figure that renders its strategic

use reasonable, a reasonableness that transfers to the adherence. And its strategic use is

in relation to the goals of the argumentation, seen beyond the achievement of mere

adherence in the attempts to achieve joint understanding, to open up perspectives, to

explore issues and develop inquiries and, indeed, to resolve disputes and persuade.

When we look at arguments from a rhetorical, rather than a dialectical or logical,

point of view, certain features become more important to us, and we ask questions that

would not be asked, say, from a logical perspective: questions like "How is this discourse

experienced?" "How does it invite collaboration?" In the case of a figure like the

praeteritio, then, we can set out both identifying features (as we would with an argument

scheme) and critical questions to decide whether it has been appropriately used:

An arguer, *a,* draws attention to *x* while professing to avoid it.

---

[13] The title of the relevant chapter in Gross and Dearin's (2003) study of Perelman, "The Figures

as Argument," suggests a thesis similar to the one I have defended here. But with the exceptions of irony

and metaphor, their discussion and examples are actually intended only "to demonstrate the pervasiveness

of figures as a component of arguments" (130).

[14] I do not include Perelman and Olbrechts-Tyteca's insistence that to be argumentative a figure

must actually bring about a change of perspective in an audience. Some figures arise in situations that

show them to be clearly argumentative in intent, regardless of whether they are effective (Tindale,

2004:75).

The audience is invited (implicitly) to construct *x* for themselves.

x, so constructed, increases the plausibility of *a*'s position.

And the critical questions that would be appropriate for exploring any argumentative use of a *praeteritio:*

Is *x* sufficiently suggested that the audience in question would be likely to see it?

Are sufficient details provided for the construction of *x* by the audience?

Does plausibility transfer from *x* to *a*'s position?

Such tools would allow us to evaluate cases where a *praeteritio* has been used, like that in the William of Silent example, and decide if its use is reasonable.[15]

The universal audience is a much more contentious device to resurrect, its history being fraught with misunderstandings, and I turn to it with some caution. But I have made some efforts to revitalize this concept and present it as a viable tool in the evaluation of argumentation.

Perelman and Olbrechts-Tyteca introduce the universal audience as one of the audiences that have a normative role when we judge whether an argument is convincing (1969:30). In fact, its role for particular audiences seems limited and indistinct. Elsewhere Perelman has confirmed as correct an understanding presented by those who produced the "Report of the Committee on the Nature of Rhetorical Invention": that there may be many universal audiences "although not in a single situation," and that the real task in the process of persuasion is not to address two audiences but to "transform the particularities of an audience into universal dimensions" (1989:246).

---

[15] For a full discussion of this and other figures as argument see Tindale, 2004: Chapter 3.

What the concept of the universal audience allows us to do is to keep our focus on the immediate audience with the particular cognitive claims relevant to its situation, while recognizing a standard of reasonableness which should envelop that audience, and which it should acknowledge whenever recourse to the universal audience is required.[16] In this way we can understand Perelman and Olbrechts-Tyteca's repeated insistence that the strength of an argument is a function of the audience, and that in evaluating arguments we must look first and foremost at the audience. The universal audience is not a model of ideal competence introduced into the argumentative situation from the outside. It is developed *out of* the particular audience and so is essentially connected to it.

Given this explanation, it is not surprising to see critics moved to charge that Perelman espouses relativism. As van Eemeren and Grootendorst (1995) explain it, Perelman reduces the soundness of argumentation to the determinations of the audience. "This means that the standard of reasonableness is extremely relative. Ultimately, there could be just as many definitions of reasonableness as there are audiences" (124). Introducing the universal audience as *the* principle of reasonableness to mitigate this problem only shifts the source of the concern to the arguer. Since the universal audience is a construct of the arguer, now there will be as many definitions of reasonableness as there are arguers. Here, though, some of the other features of the account I have been

---

[16] In his comments, Professor Schulz rightly identifies the challenge here to be one regarding the relationship between the particular cognitive claims and the standard provided by the universal audience. He points out that if an opinion is to be held in a rational way, then conditions related to both of these must be met. On this I think we would be in agreement. Where we differ is with respect to the degree of relativity that governs the rules of theoretical rationality.

describing come into play. The criticism again favours the perspective of the arguer (in control; determining the universal) and overlooks the role of the actual audience. The charge that there will be as many universal audiences as there are arguers fails to give due consideration to what a dialogical model of argumentation, as I have developed it, makes clear: that in a very real sense the "arguer" will only exist for us in relation to an "argument" in situation. And this argument is a unique event involving the particulars of speakers and their situation and the universal audience relevant to them. It is not a matter of each arguer deciding the universal audience in some arbitrary way, such that there are as many universal audiences as there are arguers. It is a matter of the argumentative situation determining the limits on how the universal audience can be conceived in that case, and the respondent or particular audience playing a co-authoring role in that decision. The argumentative situation imposes clear constraints on the freedom of the arguer.

The traditional (philosophical) view of the universal audience, which Perelman and Olbrechts-Tyteca resist, sees the universality involved as a kind of detached reason, Cartesian in its firm convictions. Why, as one critic has put it, would anyone want (or need) to argue with such an audience? Why, indeed. Real audiences are made up of people in whom reason is not separated from other human faculties. Yet what other source do we have for principles of good argumentation (reasonableness) if not the audiences who live it, and modify it, across time and across communities. We disagree on what is reasonable and struggle to resolve disputes precisely because it is not established in advance but emerges, where it emerges, through our argumentative practice. To succeed in argumentation on terms acceptable to all parties to a dispute is to

accede to an understanding of reasonableness evoked by the situation. This is the

universal within the particular. To ignore this is to overlook the difficulties of how we

build reasonable communities, how those communities speak to each other; and how the

ideas of reasonableness coalesce and grow. Reasonableness arises from the practices of

actual reasoners, it is not an abstract code independent of them that they consult for

corroboration. Where do our standards of logical argument originate? Are they a priori in

us, or developed over time, learned and refined? The developing story of formal logic,

from Aristotle to the Stoics to the systems of the twentieth century suggest a developing

face of reason, and studies of other cultures, while controversial, may undermine beliefs

that even that model of reason is universal (see Levi, 2000). It matters also that this

measure of reasonableness is not the logical perspective coming in and stealing the scene.

This measure is an audience, connected to a real audience; the process is rhetorical. This

concept, together with the account of figures, indicates the nature of rationality inherent

in the argumentation that I am calling rhetorical.

It is clear, though, that the idea of rhetoric expressed here is not necessarily the

idea that informs the project of strategic maneuvering, even though each can profit from

what the other provides. In reflection, I have taken 'rhetoric' as a complex idea and

indirectly attempted something of a dissociation here, understanding that process in terms

of the clarifications that have emerged through the work of Professor van Rees (2005;

2002), although I have not stressed one side of the separation (the traditional negative

view).[17] Simmilar attempts go back at least to Plato's *Phaedrus,* where he extracts both a

positive and negative view of rhetoric, depending on the criteria involved. I certainly

have tried to resolve the contradictions apparent in the original notion, allowing that

statements about rhetoric are true on one interpretation of the term, while denying this

holds for another interpretation. And I have clearly assigned value to the positive

interpretation that I want to defend and see developed (van Rees, 2005). If this

dissociation is in any way successful, it will bring us back to the opening stage of our

"dispute" (van Rees, 2002:2), because it now serves as a fresh point of departure for the

discussion.

Conclusion:

 Argumentation grows out of audience, develops according to the demands of and

interaction with a (fluid) audience, and is measured by a further audience, the universal

audience in each situation. In this account, rhetoric is a vehicle for proofs, as they are

moved between audiences. This view contrasts with the more instrumental view of

rhetoric that characterizes the strategic maneuvering project, where 'rhetoric' is "the

theoretical study of practical persuasion techniques" (van Eemeren & Houtlosser,

1999c:483).

The strategic maneuvering project brings focus to the role of rhetoric in

argumentation and envisages that role in useful ways: The choices in approaching issues,

---

[17] Nor am I making a claim about the "real nature" of rhetoric, whatever that might be, which

Schiappa (2003:37) seems to take as a feature of dissociation. I am presenting this as a viable way to

understand rhetoric's involvement in the structures that enfold and characterize argumentation.

the way presence is addressed and experienced and the devices employed to engage

minds all clearly influence the character and success of argumentation. But I would resist

the suggestion that rhetoric's role in argumentation is exhausted by, or limited to, its use

in strategic maneuvering. Nor can maneuvering be completely under the control of the

arguer/proponent; it must also be constrained by the role of the other party/audience.

Arguers and their responsive audiences interact on the way to successfully achieving the

goals of argumentation. Among these goals, I would judge, are the efforts of some

participants to win on their own terms.[18]

References

Aristotle. (1984). *The complete works of Aristotle: The revised Oxford translation.* J. Barnes (Ed.). Princeton, NJ: Princeton University Press.

Bakhtin, M. (1981). *The dialogic imagination: Four essays.* (C. Emerson & M. Holquist, Trans.). In M. Holquist (Ed.). Austin: University of Austin Press.

Bakhtin, M. (1986). *Speech genres & other later essays.* (C. Emerson & M. Holquist, Trans.). In V. W. McGee (Ed.). Austin: University of Texas Press.

Crosswhite, James (1996). *The rhetoric of reason: Writing and the attractions of argument*. Madison, Wisconsin: The University of Wisconsin Press.

Eemeren, F. H. van, & Grootendorst, R. (1995). Perelman and the fallacies. *Philosophy and Rhetoric, 28,* 122–133.

Eemeren, F. H. van, & Houtlosser, P. (1999a). Delivering the goods in a critical discussion. In F. H. van Eemeren et al. (Eds.), *Proceedings of the fourth international conference of the International Society for the Study of Argumentation* (pp.163–168). Amsterdam: Sic Sat.

Eemeren, F. H. van, & Houtlosser, P. (1999b). William the Silent's argumentative discourse. In F. H. van Eemeren et al. (Eds.), *Proceedings of the fourth international*

---

[18] Earlier versions of this paper were read in Amsterdam at the Agnes van Rees conference on Strategic maneuvering, October 2006; and by the members of the Centre for Research in Reasoning, Argumentation and Rhetoric (CRRAR) at Windsor, Ontario. I am grateful to the conference audience and the CRRAR members for their insightful comments and discussion. In particular, I would like to thank my Amsterdam commentator, Peter Schulz, for his constructive critique, and Jan Albert van Laar for his helpful comments on the written paper.

conference of the International Society for the Study of Argumentation (pp.168–172). Amsterdam: Sic Sat.

Eemeren, F. H. van, & Houtlosser, P. (1999c). Strategic manoeuvering in argumentative discourse. *Discourse Studies, 1*(4), 479–497.

Eemeren, F. H. van, & Houtlosser, P. (2000a). Rhetoric in pragma-dialectics. *Argumentation, Interpretation, Rhetoric, 1.* Retrieved from www.argumentation.spb.ru/2000_1/index.htm

Eemeren, F. H. van, & Houtlosser, P. (2000b). Rhetorical analysis within a pragma-dialectical framework: The case of R. J. Reynolds. *Argumentation, 14,* 293–305.

Eemeren, F. H. van, & Houtlosser, P. (2001). Clear thinking in troubled times: An integrated pragma-dialectical analysis. *Informal Logic, 21*(2), 17–30.

Eemeren, F. H. van, & Houtlosser, P. (2002a). Strategic manoeuvering with the burden of proof. In F. H. van Eemeren (Ed.), *Advances in pragma-dialectics* (pp. 13–29). Amsterdam: Sic Sat.

Eemeren, F. H. van, & Houtlosser, P. (2002b). Strategic maneuvering: Maintaining a delicate balance. In F. H. van Eemeren & P. Houtlosser (Eds.) *Dialectic and rhetoric: The warp and woof of argumentation analysis*. Dordrecht, NL: Kluwer Academic Publishers, pp.131-59.

Eemeren, F.H. van & Houtlosser, P. (2003) More about fallacies as derailments of strategic maneuvering: The case of the *Tu Quoque*. In Blair, J. Anthony, *et al.* (Eds.) *Informal Logic @25*. 12pp.

Eemeren, F.H. van & Houtlosser, P. (2005) Theoretical construction and argumentative reality: An analytic model of critical discussion and conventionalised types of argumentative activity. In David Hitchcock (Ed.) *The uses of argument: Proceedings of a conference at McMaster University*. Hamilton, ON: Ontario Society for the Study of Argumentation, pp.75-84.

Fahnestock, J. (1999). *Rhetorical figures in science.* New York: Oxford University Press.

Foss, S. K., & Griffin, C. L. (1995). Beyond persuasion: A proposal for an invitational rhetoric. *Communication Monographs, 62,* 2–18.

Gross, A., & Dearin, R. (2003). *Chaim Perelman.* Albany: State University of New York Press.

Johnson, R. H. (2000). *Manifest rationalit*y*: A pragmatic theory of argument.* Mahwah, NJ: Lawrence Erlbaum.

Kennedy, G. (1991). *Aristotle on rhetoric: A theory of civic discourse.* Oxford, UK: Oxford University Press.

Levi, D. (2000) *In defense of informal logic*. Dordrecht, NL: Kluwer Academic Publishers.

McCabe, M.M. (1994). Arguments in context: Aristotle's defense of rhetoric. In D.J. Furley & A. Nehamas (Eds.), *Aristotle's rhetoric: Philosophical essays*. (pp.129-165). Princeton, NJ: Princeton University Press.

Perelman, C. (1989). The new rhetoric and the rhetoricians: Remembrances and comments. In R. D. Dearin (Ed.), *The new rhetoric of Chaim Perelman: Statement and response* (pp. 239–251). New York: University Press of America.

Perelman, C., & Olbrechts-Tyteca, L. (1969). *The new rhetoric: A treatise on argumentation* (J. Wilkinson & P. Weaver, Trans.). Notre Dame: University of Notre Dame Press.

Pinto, Robert C. (2001). *Argument, inference and dialectic: Collected papers on informal logic with an introduction by Hans V. Hansen*. Dordrecht, NL: Kluwer Academic Publishers.

Plato. (1997). *Complete works.* J. M. Cooper (Ed.). Indianapolis, IN: Hackett.

Reboul, O. (1989). The figure and the argument. In M. Meyer (Ed.), *From metaphysics to rhetoric* (pp. 169–181). Dordrecht, Holland: Kluwer Academic.

Rees, M.A. van (2002). Argumentative functions of dissociation in every-day discussions. In H. V.Hansen *et. Al.* (Eds) *Argumentation and its applications*. Windsor: OSSA, 14pp.

Rees, M.A. van (2005). Indications of dissociation. In F.H. van Eemeren & P. Houtlosser (Eds.) *Argumentation in practice*. Amsterdam: John Benjamins Publishing Co., pp.53-67.

Schiappa, E. (2003). *Defining reality: Definitions and the politics of meaning*. Carbondale, IL: Southern Illinois Press.

Tindale, C.W. (1999) *Acts of arguing: A rhetorical model of argumentation*. Albany, NY: State University of New York Press.

Tindale, C.W. (2004) *Rhetorical argumentation: Principles of theory and practice.* Thousand Oaks, CA: Sage.

Toulmin, S. (2001). *Return to reason*. Cambridge, MA: Harvard University Press.